

1 **BEFORE THE ARIZONA MEDICAL BOARD**

2 In the Matter of

3 **PAREED ALIYAR, M.D.**

4 Holder of License No. **24775**
5 For the Practice of Allopathic Medicine
6 In the State of Arizona.

Board Case No. MD-04-0158A

**FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER**

(Letter of Reprimand and Probation)

7 The Arizona Medical Board ("Board") considered this matter at its public meeting
8 on February 9, 2005. Pareed Aliyar, M.D., ("Respondent") appeared before the Board
9 without legal counsel for a formal interview pursuant to the authority vested in the Board
10 by A.R.S. § 32-1451(H). The Board voted to issue the following findings of fact,
11 conclusions of law and order after due consideration of the facts and law applicable to
12 this matter.
13

14 **FINDINGS OF FACT**

15 1. The Board is the duly constituted authority for the regulation and control of
16 the practice of allopathic medicine in the State of Arizona.

17 2. Respondent is the holder of License No. 24775 for the practice of allopathic
18 medicine in the State of Arizona.

19 3. The Board initiated case number MD-04-0158A after receiving a complaint
20 regarding Respondent's care and treatment of a 63 year-old male patient (LP). LP
21 suffered from hypertension, hyperlipidemia, coronary artery disease, and glaucoma.

22 4. On July 30, 2003 Respondent performed a cardiac catheterization on LP.
23 The cardiac catheterization revealed multivessel coronary artery disease. LP
24 subsequently underwent coronary artery bypass grafting on August 21, 2003 and was
25 discharged on multiple medications, including Lovastatin, 40mg per day. On September
26, 2003 Respondent increased the dosage of Lovastatin to 80mg per day. Respondent

1 subsequently increased the dosage to 160mg per day, twice the general recommended
2 dosage. LP was also taking calcium channel blockers and the recommended dosage in
3 such a patient is 40 mg per day.

4 5. The Medical Director of the Health Plan covering LP's care wrote to
5 Respondent three times expressing concern about the dosage of Lovastatin Respondent
6 had prescribed to LP. On November 25, 2003 Respondent replied to the third inquiry and
7 indicated that he had prescribed Lovastatin above the recommended levels, but LP never
8 took that high of a dosage because the pharmacy did not fill the prescriptions as ordered.
9 However, pharmacy records indicate that numerous prescriptions for the 160mg of
10 Lovastatin were filled.

11 6. Respondent expressed his displeasure that he could not order a more
12 effective and safer agent through LP's health plan. Respondent believed LP was
13 covered by a health plan that had a restricted formulary rather than the health plan he
14 was actually covered by that had a less restrictive formula, including several other agents
15 Respondent could have prescribed. Respondent's stated intention was to lower LP's
16 LDL level below 100. Respondent was unable to accomplish this using the Lovastatin.

17 7. Respondent testified that the normal dosage for Lovastatin is 80mg per day,
18 unless the patient is on calcium blockers. If so, the dosage is lowered to 40mg per day.
19 Respondent testified he prescribed 80mg to LP and when his LDL did not come down, he
20 increased the dosage to 160mg. Respondent testified that the prescribed 160mg per day
21 was not within the standard of care. Respondent noted that he had prescribed up to
22 160mg of Lovastatin per day with other patients and when he was treating LP he did not
23 believe LP's insurance would cover any other medications. Respondent testified that he
24 did not verify whether LP's insurance would cover another medication.

8. Respondent testified that he did not respond to the Medical Director's first two letters because he put the first letter in the file and then forgot about it and did not receive the second letter. Respondent stated he answered the Medical Director's third letter. Respondent stated that since his experience with LP his practice has changed in that he will not exceed the recommended dose of Lovastatin.

9.	The standard of care required Respondent to prescribe Lovastatin in the correct dosage.			
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10.	Respondent fell below the standard of care because he prescribed excessive doses of Lovastatin to LP.
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11. LP was subject to potential harm because if he had taken the Lovastatin in the excessive dose as prescribed he could have developed myopathy.

CONCLUSIONS OF LAW

1. The Arizona Medical Board possesses jurisdiction over the subject matter hereof and over Respondent.

2. The Board has received substantial evidence supporting the Findings of Fact described above and said findings constitute unprofessional conduct or other grounds for the Board to take disciplinary action.

3. The conduct and circumstances described above constitutes unprofessional conduct pursuant to A.R.S. § 32-1401(27)(q) (“[a]ny conduct or practice that is or might be harmful or dangerous to the health of the patient or the public.”)

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law,

IT IS HEREBY ORDERED:

1.	Respondent is issued a Letter of Reprimand for inappropriately prescribing Lovastatin in excessive doses.
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2. Respondent is placed on probation for one year with the following terms and conditions:

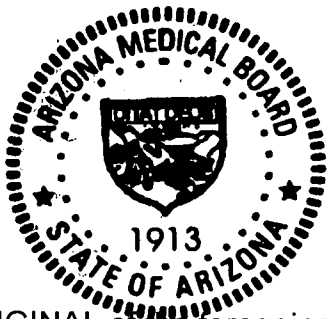
a. Respondent shall obtain 20 hours of Board Staff pre-approved Category I Continuing Medical Education ("CME") in prescribing cardiac medications and provide Board Staff with satisfactory proof of attendance. The CME hours shall be in addition to the hours required for biennial renewal of medical license. The probation will terminate when Respondent supplies proof of course completion satisfactory to Board Staff.

RIGHT TO PETITION FOR REHEARING OR REVIEW

Respondent is hereby notified that he has the right to petition for a rehearing or review. The petition for rehearing or review must be filed with the Board's Executive Director within thirty (30) days after service of this Order. A.R.S. § 41-1092.09(B). The petition for rehearing or review must set forth legally sufficient reasons for granting a rehearing or review. A.A.C. R4-16-102. Service of this order is effective five (5) days after date of mailing. A.R.S. § 41-1092.09(C). If a petition for rehearing or review is not filed, the Board's Order becomes effective thirty-five (35) days after it is mailed to Respondent.

Respondent is further notified that the filing of a motion for rehearing or review is required to preserve any rights of appeal to the Superior Court.

DATED this 11th day of May, 2005.



THE ARIZONA MEDICAL BOARD

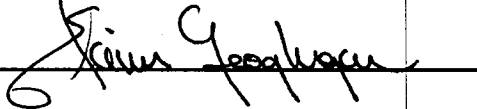
By Amade Beck
TIMOTHY C. MILLER, J.D.
Executive Director

ORIGINAL of the foregoing filed this 13th day of May, 2005 with:

1 Arizona Medical Board
2 9545 East Doubletree Ranch Road
3 Scottsdale, Arizona 85258

4 Executed copy of the foregoing
5 mailed by U.S. Certified Mail this
6 13th day of May, 2005, to:

7 Pareed Aliyar, M.D.
8 Address of Record

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